

5-19-03

BLAKE
#6

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT
ABANDONED FOR FAILURE TO NOTIFY THE OFFICE OF A FOREIGN OR
INTERNATIONAL FILING (37 CFR 1.137(f))**

Docket Number (Optional)

3399P049

First Named Inventor: Jennifer O. Yiu

Application No.: 09/895,521

Art Unit: 2683

Filed: June 29, 2001

Examiner: Trost IV, William George

Title: Method and Apparatus for Dynamically Controlling Release of Private Information Over a Network From a Wireless Device

Attention: Office of Petitions

Mail Stop Petition

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
FAX: (703) 308-6916

NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (703) 305-9283

The above-identified application became abandoned pursuant to 35 U.S.C. 122(b)(2)(B)(iii) for failure to timely notify the Office of the filing of an application in a foreign country or under a multinational international treaty that requires publication of applications eighteen months after filing. The date of abandonment is the day after the expiration date of the forty-five (45) day period set in 35 U.S.C. 122(b)(2)(B)(iii).

**PURSUANT TO 37 CFR 1.137(f), APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION
UNDER 37 CFR 1.137(b)**

Adjustment date: 00/00/0000	Repln. Ref: 06/18/2003 CKHLOK 0013410600
05/11/2003 SLUANG1 00000024 09895521	DAH:022666 Name/Number:09895521
01 FC:1453 -1300.00 OP	FC: 9204 \$1300.00 CR

1. Petition fee

Small entity-fee \$_____ (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.

Other than small entity - fee \$1300.00 (37 CFR 1.17(m)).

2. Notice of Foreign or International Filing (35 U.S.C. 122(b)(2)(B)(iii) and 37 CFR 1.213(c))

Subsequent to the filing of the above-identified application, an application was filed in another country, or under a multinational international treaty (e.g., filed under the Patent Cooperation Treaty), that requires publication of applications eighteen months after filing. The filing date of the subsequently filed foreign or international application is January 21, 2002.

SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.
Based on Form PTO/SB/64a (05-03) as modified by BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP on 5/13/03.

05/21/2003 SLUANG1 00000024 09895521

[Page 1 of 2]

01 FC:1453 1300.00 OP

RECEIVED

MAY 22 2003

OFFICE OF PETITIONS



SUBMISSION OF PETITION FOR REVIVAL

Docket Number:

003399P049

First named inventor: Jennifer O. Yiu

Application No.: 09/895,521

Art Unit: 2683

Filed: June 29, 2001

Examiner: Trost IV, William George

Title: Method and Apparatus for Dynamically Controlling Release of Private Information Over a Network From a Wireless Device

Attention: Office of Petitions

Mail Stop Petition

Commissioner for Patents

P. O. Box 1450

Alexandria, VA 22313-1450

FAX: (703) 308-6916

Applicant(s) believe(s) that the above-identified application is being regarded by the United States Patent and Trademark Office (USPTO) as abandoned. Accordingly, applicant(s) submit(s) herewith a Petition for Revival of An Application for Patent Abandoned for Failure to Notify the Office of a Foreign or International Filing in accordance with 37 CFR § 1.137(f). The Petition fee required under 37 CFR § 1.17(m) is submitted herewith. An extra copy of the Fee Transmittal is enclosed for deposit account charging purposes.

Applicant(s) respectfully submit(s) that the USPTO has misinterpreted the requirements of 35 U.S.C. § 122, causing the needless filing of the subject Petition, and respectfully requests a refund under 37 CFR § 1.26 for the fees under 37 CFR § 1.17(m) mistakenly required to be paid. The refund can be credited to Deposit Account No. 02-2666. If a refund is not forthcoming, applicant(s) reserve(s) the right to request a refund for the Petition fee based on a subsequent finding by the USPTO or a court of proper jurisdiction that the requirements of 35 U.S.C. § 122 have been misinterpreted.

May 15, 2003

Date

Signature

Telephone

Number: (408) 720-8300

Jordan M. Becker

Typed or Printed Name

BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP

12400 Wilshire Blvd.

Seventh Floor

Los Angeles, CA 90025

Telephone Number: (408) 720-8300

39,602

Registration No.

This correspondence is being sent via express mail (Express Mail No. EV336585316US).

RECEIVED

MAY 22 2003

OFFICE OF PETITIONS

UNITED STATES PATENT & TRADEMARK OFFICE
Washington, D.C. 20231

REQUEST FOR PATENT FEE REFUND

1 Date of Request: 6/17/03 2 Serial/Patent # 09/895,521

3 Please refund the following fee(s):		4 PAPER NUMBER	5 DATE FILED	6 AMOUNT
	Filing			\$
	Amendment			\$
	Extension of Time			\$
	Notice of Appeal/Appeal			\$
✓	Petition	6	5/15/03	\$ 1,300.00
	Issue			\$
	Cert of Correction/Terminal Disc.			\$
	Maintenance			\$
	Assignment			\$
	Other			\$

7 TOTAL AMOUNT OF REFUND \$ 1,300.00

8 TO BE REFUNDED BY:

10 REASON:	Treasury Check
	<input checked="" type="checkbox"/> Credit Deposit A/C #:
	9 <input type="text"/> 0 <input type="text"/> 2 <input type="text"/> -- <input type="text"/> 2 <input type="text"/> 6 <input type="text"/> 6 <input type="text"/>
✓ No Fee Due (Explanation):	

(3FF) petition dismissed as moot

11 REFUND REQUESTED BY:

TYPED/PRINTED NAME: Cliff Congo TITLE: Petitions Attorney

SIGNATURE: Cliff Congo PHONE: 305-0272

OFFICE: Petitions

***** THIS SPACE RESERVED FOR FINANCE USE ONLY *****

APPROVED: Cliff Congo DATE: 6/18/03

Instructions for completion of this form appear on the back. After completion, attach white and yellow copies to the official file and mail or hand-carry to:

Office of Finance
Refund Branch
Crystal Park One, Room 802B